

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JEFFREY T. MILLER)

UNITED STATES OF AMERICA,) Case No.: 08cr1969-JM
Plaintiff,)
v.) ORDER
MANLEY SMITH (2),)
Defendant.)
_____)

FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED that:

1. Defense counsel and/or their investigators be granted access to the location where the alleged offense took place (under supervision/escorted if necessary), i.e., Chula Vista Border Patrol compound, the vehicles involved and other case-related evidence for the purposes of investigation, including inspection, and photographing

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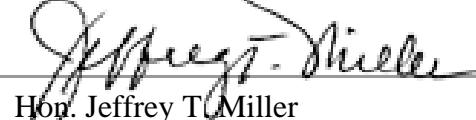
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1 2. The government preserve the following evidence during the pendency of this case: (1) the
2 defendant's personal effects; (2) personal effects belonging to any of the material witnesses related to this
3 case, including any papers and telephones; (3) the vehicle(s) allegedly involved; (4) any videotapes
4 capturing Mr. Smith or any third party in relation to this case, including any surveillance footage; (5) any
5 recorded communications made by government or non-government officials related to the above captioned
6 case, e.g., surveillance recordings, Wackenhut radio communications, or 911/dispatch tapes; and, (6) any
7 other evidence seized from the defendant or any third party in relation to this case.

8 3. Further, it is ordered that all government agencies and private contractors having custody of
9 evidence be notified of this preservation order.

10 **SO ORDERED.**

11 DATED: August 4, 2008



Hon. Jeffrey T. Miller
United States District Judge